

EXHIBIT 10

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EXHIBIT 10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

No. 3:17-cv-00939-WHA

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
VIDEOTAPED DEPOSITION OF PIERRE-YVES DROZ
Palo Alto, California
Tuesday, August 22, 2017
Volume II

Reported by:

CATHERINE A. RYAN

CMR, CRR, CSR No. 8239

Job No. 2685937

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1 Q Why not? 18:20:56

2 A I mean -- I mean, it's always been really
3 hard for me to -- to -- you know, my relationship
4 with Chris has never been very open because Chris
5 always put me on the -- you know, Anthony's book 18:21:06
6 heads -- Anthony's people book heads. And so, you
7 know, I was pretty happy working at Google, and I
8 think the job was interesting. I was like a -- and
9 I didn't want to -- you know, the -- it felt I
10 would, like, jeopardize that by, like, exposing more 18:21:22
11 of Anthony's shenanigan.

12 Q Why didn't you tell anyone else inside
13 Google like in HR or someplace like that?

14 MR. JAFFE: Object to form.

15 THE WITNESS: I realize now I should have, 18:21:39
16 but I think the same -- kind of same reason. I
17 didn't know what the -- what the consequences would
18 be -- consequences would be like. I was afraid that
19 Anthony's, like -- Anthony's misbehavior and
20 Anthony's, like, problems would, like, end up at the 18:21:59
21 end, like, impacting my -- impacting my life and my
22 work.

23 BY MR. CHATTERJEE:

24 Q After Mr. Levandowski left, did you ever
25 talk about his relationship with Odin Wave with 18:22:10

1 people at Google? 18:22:14

2 MR. JAFFE: So I just want to object to

3 form.

4 I also want to caution you not to reveal

5 any attorney-client communications. 18:22:21

6 THE WITNESS: So in a nonprivileged

7 context, I don't think so, but I'm not sure. I

8 don't think so, though.

9 BY MR. CHATTERJEE:

10 Q Did you participate in a -- 18:22:29

11 A Sorry. You said after he left?

12 Q After he left.

13 A Okay. Sorry. Yeah, I don't think -- no,

14 outside of a privileged context, I don't think so.

15 Q Did you participate in any investigations 18:22:48

16 of Anthony Levandowski after he left?

17 MR. JAFFE: I'm going to object to form.

18 And I'm just going to caution you not to

19 reveal any attorney-client communications. You can

20 answer "yes" or "no." 18:23:00

21 THE WITNESS: Yes.

22 BY MR. CHATTERJEE:

23 Q When?

24 MR. JAFFE: So, again, just -- you can

25 reveal a date. 18:23:08

1 THE WITNESS: I don't remember the 18:23:16
2 exact -- summer 2016, something like this would be,
3 yeah.

4 BY MR. CHATTERJEE:

5 Q Were you involved in any investigation of 18:23:23
6 Anthony Levandowski in the February through March
7 time period of 2016?

8 MR. JAFFE: So I'm going to object to
9 form.

10 And I'm going to caution you not to reveal 18:23:34
11 any attorney-client privileged information. You can
12 say "yes" or "no."

13 THE WITNESS: I don't remember in that
14 time frame. I'm not sure.

15 BY MR. CHATTERJEE: 18:23:53

16 Q Did you ever tell Google about what you
17 had learned about Mr. Levandowski's relationship
18 with Odin Wave and Tyto LiDAR as you understood it?

19 MR. JAFFE: I'm going to object to form.

20 And I'm going to caution you not to reveal 18:24:10
21 any attorney-client privileged communications, but
22 you can answer outside of that context.

23 THE WITNESS: Yeah. I don't think outside
24 of a privileged context.

25 //

1 BY MR. CHATTERJEE: 18:24:28

2 Q Okay. So you can't answer the question

3 because of privilege?

4 MR. JAFFE: Same caution, and -- same

5 caution. Same objections. 18:24:37

6 THE WITNESS: The --

7 MR. JAFFE: So you can answer that "yes"

8 or "no," to be clear.

9 THE WITNESS: Yes, I think it --

10 BY MR. CHATTERJEE: 18:24:51

11 Q In the summer of 2016 -- I'm not going to

12 ask you about what the communications were -- who

13 were the lawyers you were interacting with related

14 to the investigation of Anthony Levandowski?

15 MR. JAFFE: So, again, I just want to 18:25:04

16 caution you not to reveal any attorney-client

17 communications. You can answer as to the identity

18 of the lawyers and nothing else.

19 THE WITNESS: I actually don't remember

20 the name of the person. 18:25:16

21 BY MR. CHATTERJEE:

22 Q Was it an inside lawyer at Google or an

23 outside? Do you know?

24 MR. JAFFE: Again, same caution, but just

25 answer only the question asked. 18:25:24

1 THE WITNESS: I just don't remember if 18:25:26
2 that person was outside or inside.
3 BY MR. CHATTERJEE:
4 Q Okay. Were there other people involved,
5 too, or just one person? 18:25:31
6 MR. JAFFE: Again, I want to caution you
7 not to reveal any attorney-client communications.
8 You can answer that question "yes" or "no."
9 THE WITNESS: There was one other person.
10 MR. JAFFE: Just let me finish. Sorry. 18:25:43
11 THE WITNESS: Okay. I'm sorry.
12 BY MR. CHATTERJEE:
13 Q Okay. Do you know who the other person
14 was?
15 MR. JAFFE: Again, I'm going to caution 18:25:48
16 you not to reveal any attorney-client
17 communications. You can answer "yes" or "no."
18 THE WITNESS: No, I don't remember the
19 name.
20 BY MR. CHATTERJEE: 18:25:55
21 Q How many meetings did you have with
22 lawyers associated with an investigation of Anthony
23 Levandowski?
24 MR. JAFFE: I'm going to object to form
25 and, again, caution you not to reveal any 18:26:08

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1 attorney-client communications, the content of them. 18:26:12
2 You can answer as to a number.
3 THE WITNESS: Maybe two or three. Two.
4 You know, around two or three.
5 BY MR. CHATTERJEE: 18:26:23
6 Q And do you know approximately when that
7 was? Early in the summer? Late in the summer?
8 MR. JAFFE: Again, same -- I'm going to
9 object to form, but same caution. But you can
10 answer to a date. 18:26:31
11 THE WITNESS: Summer was an approximation.
12 I don't remember the date of this.
13 BY MR. CHATTERJEE:
14 Q So you don't know when in the year it was?
15 A The -- sorry. 18:26:42
16 MR. JAFFE: I'm going to object to form
17 and give you the same caution, but you can answer
18 "yes" or "no" to that question.
19 THE WITNESS: I don't -- the -- I don't
20 remember. It's pretty wide time frame. I don't 18:26:51
21 remember when.
22 BY MR. CHATTERJEE:
23 Q Other than the flying cars and [REDACTED]
[REDACTED] and the Odin Wave activities,
25 were you aware of any other moonlighting by Anthony 18:27:07

1 should we do it, should we not do it. 18:41:37

2 BY MR. CHATTERJEE:

3 Q Who was in that meeting?

4 A So I remember Luke Wachter. I think Drew
5 was there. I think Gaetan was there. I think that 18:41:46

6 -- I think maybe Radu was there, but I'm not sure.

7 I know at some point Don Burnett was not in there

8 for the whole meeting, but he was there for some

9 point. I know that Claire -- I don't remember her

10 last name -- was there for some time, and then -- 18:42:09

11 I'm sorry. Who else was there? There -- there were

12 probably more people, but I don't remember.

13 Q Did you -- did you say to anybody that you
14 were concerned that Anthony might have taken
15 information from Google? 18:42:35

16 A I -- no, I think I mostly said I was
17 afraid that his plan was to -- to sell the team to
18 another company.

19 Q Did you ever mention to Mr. -- is it
20 Raduta? 18:42:56

21 A Yeah.

22 Q Did you ever mention to Mr. Raduta that
23 you were concerned Anthony might have taken
24 information from Google?

25 A I think I -- I don't remember if we talked 18:43:06

1 about the Odin Wave, you know, during that 18:43:10
2 meeting -- if we talked about the Odin Wave. The --
3 I don't remember if I told him -- I don't remember.
4 Q Do you remember when Mr. Levandowski left
5 Google -- at any point prior to the summer of 2016 18:43:28
6 were you concerned that Mr. Levandowski might have
7 left with confidential information of Google and was
8 using it at Otto?
9 MR. JAFFE: Object to form.
10 THE WITNESS: Yes, I think I was. 18:43:43
11 BY MR. CHATTERJEE:
12 Q Did you talk about that with anybody at
13 Google? Let me restate.
14 Did you express that concern to anybody at
15 Google? 18:43:53
16 MR. JAFFE: I'm going to object to form,
17 and I'm going to also caution you not to reveal any
18 communications with lawyers or legal folks.
19 THE WITNESS: So outside of a privileged
20 context? 18:44:11
21 BY MR. CHATTERJEE:
22 Q Yes.
23 A I'm thinking in -- in discussions with
24 other employee I may have expressed my concerns that
25 that would be what Anthony would do, but I don't 18:44:22

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1 have specific, like, instances. 18:44:28

2 Q When would you have expressed those
3 concerns?

4 A Across the months there, like, in
5 discussions with -- with people on the team. 18:44:37

6 Q Were you aware of any efforts by Google to
7 assess the circumstances of Mr. Levandowski's
8 departure from Google in February and March of 2016?

9 MR. JAFFE: So I'm going to object to
10 form. 18:44:58

11 And I want to caution you not to reveal
12 any attorney-client communications. So if you're --
13 just to be perfectly clear, if you were aware
14 because a lawyer told you that, I'm instructing you
15 not to answer as to that, but if you can answer 18:45:10
16 outside of a privileged context, go ahead.

17 THE WITNESS: So outside of a privileged
18 context, no.

19 BY MR. CHATTERJEE:

20 Q And in February and March of 2016 did you 18:45:18
21 speak with any lawyers about Mr. Levandowski's
22 departure from Google?

23 MR. JAFFE: I'm going to caution you not
24 to reveal attorney-client communications. You can
25 answer "yes" or "no." 18:45:33

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1 I, the undersigned, a Certified Shorthand Reporter
2 of the State of California, do hereby certify:

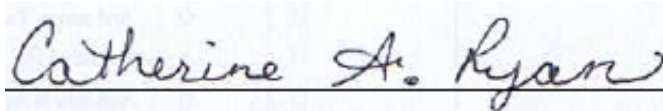
3 That the foregoing proceedings were taken before
4 me at the time and place herein set forth; that any
5 witnesses in the foregoing proceedings, prior to
6 testifying, were administered an oath; that a record of
7 the proceedings was made by me using machine shorthand
8 which was thereafter transcribed under my direction;
9 that the foregoing is a true record of the testimony
10 given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [] was not requested.

15 I further certify that I am neither
16 financially interested in the action nor a relative or
17 employee of any attorney or any party to this action.

18 IN WITNESS WHEREOF, I have this date subscribed my
19 name.

20 Dated: 8/24/17

21
22
23 

24 Catherine A. Ryan, RMR, CRR

25 CSR No. 8239